

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of FTC Communications, Inc. d/b/a FTC
Wireless for Designation as an Eligible
Telecommunications Carrier Pursuant to Section 24(e)
(2) of the Communications Act of 1934

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2007 - 193 - C

(Please type or print)

Submitted by: M. John Bowen

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☒ Other: Revised Exhibit

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Oder	<input checked="" type="checkbox"/> Other: Revised Exhibit
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

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July 23, 2007

via Hand Delivery

Mr. Charles L. A. Terreni
Chief Clerk/Administrator
South Carolina Public Service Commission
Synergy Business Park, The Saluda Building
101 Executive Center Drive
Columbia, South Carolina 29210

Re: Application of FTC Communications, Inc. d/b/a FTC Wireless for
Designation as an Eligible Telecommunications Carrier Pursuant to
Section 214(e)(2) of the Communications Act of 1934
Docket No. 2007-193-C

Dear Mr. Terreni:

Enclosed for filing on behalf of the South Carolina Telephone Coalition in the above-referenced docket, please find an original and three (3) copies of a substitute **revised** exhibit to the Reply Testimony of Glenn H. Brown. Mr. Brown's testimony is identical to that filed on July 16, 2007, other than his Revised Exhibit GHB 1.

I am enclosing the extra two copies so that the Commission may simply substitute this revised exhibit in its entirety for the one filed in Mr. Brown's proprietary and Mr. Brown's redacted Reply Testimony. In addition to mailing, we are also notifying the other parties of this change by way of electronic email.

Please note that the attached document is an exact duplicate, with the exception of the form of the signature, of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

Please clock in a copy of the exhibit and return it with our courier.

Thank you for your assistance.

Very truly yours,


M. John Bower, Jr.

Enclosure

cc: Parties of Record

SCTC Proposed Revisions to Draft Commission ETC Rules

REGULATIONS FOR ELIGIBLE TELECOMMUNICATIONS CARRIERS

103-690 Designation of Eligible Telecommunications Carriers

A. Purpose.

1. This regulation defines the requirements for designation as an Eligible Telecommunications Carrier ("ETC") for the purpose of receiving federal universal service support, not state universal service support, pursuant to 47 U.S.C. § 214(e) of the Federal Telecommunications Act of 1996.

2. This regulation will ensure that the Commission will only grant a particular application if doing so will further the goals and purposes of the federal high-cost universal service fund and the universal service provisions of Section 254 of the Telecommunications Act of 1996. Specifically, the Commission should ensure that consumers in all regions of South Carolina, including those in rural, insular and high-cost areas will have access to telecommunications services comparable to those in urban areas of the state.

3. Notwithstanding the ETC applicant's regulatory status or the Commission's jurisdiction over the applicant's regular operations, in seeking designation as an ETC, the applicant acknowledges the Commission's authority and jurisdiction to impose such regulations on ETCs, including the applicant, as are in the public interest.

B. Definitions.

1. Cell Site. A geographic location where antennae and electronic communications equipment are placed to create a cell in a cellular network for the use of mobile phones. A cell site is composed of a tower or other elevated structure for mounting antennae, and one or more sets of transmitter/receivers, transceivers, digital signal processors, control electronics, and backup electrical power sources and sheltering.

2. Commission. The word Commission in this regulation means the Public Service Commission of South Carolina.

3. Eligible Telecommunications Carrier (ETC). An ETC is a carrier as defined in 47 U.S.C. §214(e).

4. Lifeline Service. Lifeline Service is a service as defined in 47 C.F.R. §54.401.

5. Link Up Service. Link Up Service is a service as defined in 47 C.F.R. §54.411.

6. ORS. The abbreviation ORS in this regulation means the Office of Regulatory Staff.

SCTC Proposed Revisions to Draft Commission ETC Rules

7. Wire Center. A geographic location of one or more local switching systems; a location where customer loops converge. References to the evaluation of service within a wire center, for purposes of this regulation, shall mean an evaluation of the quality of the services provided in that part of the licensees' service area served by a cell site in the event the applicant is a wireless service provider.

C. Requirements for initial designation as an Eligible Telecommunications Carrier.

(a) The Commission may upon its own motion or upon request, designate a common carrier that meets the requirements in this section, and the public interest standard set forth in subsection (b) of this section, as an ETC for a designated service area. ETCs shall offer services in compliance with 47 C.F.R. §54.101. Upon request and consistent with the public interest, convenience and necessity, the Commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an ETC for a service area designated by the Commission. Before designating an additional ETC for an area served by a rural telephone company, the Commission shall find that the designation is in the public interest. On or after the effective date of this rule, in order to be designated an eligible telecommunications carrier under 47 U.S.C. §214(e)(2) of the Federal Telecommunications Act of 1996, any common carrier in its application filed with the Commission and a copy provided to the ORS must provide the following information:

(1) (A) commit to provide service throughout its proposed designated service area to all customers making a request for service. Each applicant shall certify that it will (1) provide service on a timely basis to requesting customers within the applicant's service area where the applicant's network already passes the potential customer's premises; and (2) provide service within a reasonable period of time, if the potential customer is within the applicant's licensed service area but outside its existing network coverage, if service can be provided at reasonable cost by ~~(a) modifying or replacing the requesting customer's equipment; (b) deploying a roof mounted antenna or other equipment; (ea)~~ adjusting the nearest cell tower; ~~(db)~~ adjusting network or customer facilities; ~~(ec)~~ reselling services from another carrier's facilities to provide service; or ~~(fd)~~ employing, leasing or constructing an additional cell site, cell extender, repeater, or other similar equipment; and

(B) submit a five-year build-out plan to serve throughout the ETC service area;
and

(BC) submit a two~~five~~-year plan that describes with specificity proposed improvements or upgrades to the applicant's network on a wire center-by-wire center basis, or on a cell site by cell site basis if the applicant is a wireless carrier that demonstrates its capability and commitment to serve throughout its proposed designated service area. Each applicant shall demonstrate;

1. How it plans to expand its network to ensure that unserved and underserved rural or high-cost areas will receive sufficient improvements

SCTC Proposed Revisions to Draft Commission ETC Rules

- in signal quality, coverage or capacity will improve due to the receipt of high-cost support throughout the area for which the ETC seeks designation;
2. A detailed map of the coverage area before and after the improvements and in the case of a CMRS provider, a map identifying existing and proposed tower site locations;
 3. The specific geographic areas where the improvements will be made;
 4. The projected start date and completion date for each improvement;
 5. The estimated amount of investment for each project that is funded by high-cost support; the specific geographic areas where the improvements will be made;
 6. A statement as to how all of the facilities funded by high-cost support are eligible for such support; and
 7. The estimated population that will be served as a result of the improvements;
 8. If an applicant believes that service improvements in a particular wire center or on a particular cell site are not needed, it must explain its basis for this determination and demonstrate how funding will otherwise be used to further the provision of supported services in that area;
 9. A statement as to how the proposed improvements funded by universal service dollars would not otherwise occur absent the receipt of high-cost support and that such support will be used in addition to any expenses the ETC would normally incur;
 10. A statement showing, in detail, total operating costs of improvements and upgrades acquired to extend service into unserved areas as specified in the applicant's five-year plan, and projected receipts from the federal universal service fund.

~~(C) — for carriers seeking certification in areas not eligible for High Cost Support from the USF, but seeking ETC designation for the purpose of participation in the Lifeline and Link Up programs, the following shall apply in lieu of paragraph (B) above: shall submit a two-year plan that describes the carrier's plans for advertising and outreach programs for identifying, qualifying and enrolling eligible participants in the Lifeline and Link Up programs. All other provisions of this subsection shall apply.~~

(2) demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations. The Commission shall determine on a case-by-case basis whether a carrier has demonstrated its ability to remain functional in emergency situations.

(3) demonstrate that it will satisfy applicable consumer protection and service quality standards. A commitment by wireless applicants to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service

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will satisfy this requirement. Other commitments will be considered on a case-by-case basis.

(4) demonstrate that it offers a local usage plan comparable to the one offered by the incumbent LEC in the service areas for which it seeks designation. A competitive ETC must offer a stand-alone, unlimited basic local usage plan at a monthly rate comparable to the incumbent LEC rate of approximately \$14.35 per month for residential customers.

(5) certify by affidavit signed by an officer of the company that the carrier acknowledges that the Federal Communications Commission may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area.

(6) certify by affidavit signed by an officer of the company that it does or will offer the services that are supported by the federal universal service support mechanisms by using its own facilities or a combination of its own facilities and resale of another carrier's services throughout the duration of its five-year build-out plan. After five years the carrier must offer the services using its own facilities.

(7) certify by affidavit signed by an officer of the company that it does or will advertise in a media of general distribution the availability of such services, including lifeline services and the applicable charges.

(b) *Public Interest Standard.* Prior to designating an eligible telecommunications carrier pursuant to 47 U.S.C. §214(e)(2), the Commission must determine that such designation is in the public interest. In doing so, the Commission shall consider, *inter alia*, ~~the benefits of increased consumer choice, and the unique advantages and disadvantages of the applicant's service offering.~~ whether the public benefits created by supporting an additional ETC will exceed the public costs of supporting an additional network, and whether the designation will assist in ensuring that consumers in rural and high-cost areas of the state will have access to services similar to those available in urban areas of the state. In order to satisfy the cost/benefit test in rural areas, the operating costs submitted in C(a)(1)(C)10 above must exceed projected universal service receipts. The applicant has the burden of proving that such designation is in the public interest. In instances where an eligible telecommunications carrier applicant seeks designation below the study area level of a rural telephone company, the Commission shall also conduct a creamskimming analysis that includes, but is not limited to, comparing the population density of each wire center in which the eligible telecommunications carrier applicant seeks designation against that of the wire centers in the study area in which the eligible telecommunications carrier applicant does not seek designation. The Commission will deny designation if it concludes that the potential for creamskimming exists. The public interest determination and ETC designation is to be made separately for each rural telephone company study area included in the area for which the applicant seeks ETC designation. The Commission shall not designate a service area to an ETC that is smaller than an entire wire center.

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2007-193-C

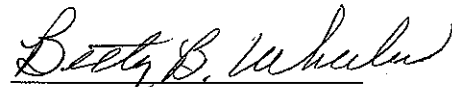
IN RE:

Petition of FTC Communications,)	
Incorporated d/b/a FTC Wireless for the)	
Designation as an Eligible)	CERTIFICATE OF
Telecommunications Carrier)	SERVICE

This is to certify that I, Betty B. Wheeler, have this date served one (1) copy of the **REVISED EXHIBIT TO THE REPLY TESTIMONY OF GLENN H. BROWN** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

William E. DuRant, Jr., Esquire
Schwartz, McLeod, DuRant and Jordon
10 Law Range
Sumter, SC 29150

C. Lessie Hammonds, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, SC 29211


Betty B. Wheeler

July 23, 2007
Columbia, South Carolina